

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ADREIANNE JACKSON	:	CASE NO.: 1:21-cv-00338
	:	
Plaintiff,	:	JUDGE _____
	:	
v.	:	
	:	
PAC WORLDWIDE CORPORATION	:	
	:	
Defendant.	:	

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NOTICE OF REMOVAL  
BY DEFENDANT PAC WORLDWIDE CORPORATION

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**I. INTRODUCTION**

Defendant PAC Worldwide Corporation respectfully represents that federal jurisdiction over this case, which was originally filed in State court, exists on the basis of the diversity jurisdiction, 28 U.S.C. §1332. This case therefore arises within the original jurisdiction of this Court, and Defendant hereby removes it to this Court pursuant to 28 U.S.C. §§1441 and 1446.

The time in which to remove this action has not run. The Complaint, Precipe for Service, and Summons forms in the Court of Common Pleas for Butler County Ohio, and Defendant's Answer filed therein, are collectively attached hereto as **Exhibit B**, pursuant to 28 U.S.C. §1446(a). Defendant is not aware of any other pleadings or orders filed or issued to date in the underlying State court action. A Civil Cover Sheet and Supplemental Civil Cover Sheet are attached hereto collectively as **Exhibit A**, and a Corporate Disclosure Statement and Notice of Appearance of Counsel are attached hereto as **Exhibits C & D** respectively.

## II. STATEMENT OF GROUNDS FOR REMOVAL

### A. Diversity Jurisdiction <sup>1</sup>

Federal jurisdiction over this case exists by virtue of diversity of citizenship, 28 U.S.C. §1332(a)(1). Plaintiff is a resident of Butler County, Ohio. See, Plaintiff's Complaint at ¶1. Defendant PAC Worldwide Corporation is a corporation organized and incorporated under the laws of the State of Washington, with its headquarters and principal place of business in Redmond, Washington. See, Defendant's Answer at ¶2. Accordingly, complete diversity exists between Plaintiff and her former employer Defendant.

Furthermore, the alleged amount in controversy exceeds the value of \$75,000, exclusive of interest and costs. The Complaint filed by Plaintiff in the Butler County, Ohio Court of Common Pleas includes seven separate counts alleging seven distinct claims under Ohio's Civil Rights Act, R.C. §4112.01, *et seq.*, including discriminatory termination based upon her race and gender (Counts I & IV), discriminatory failure to promote Plaintiff to an Operator Training position based upon her race (Count II), discriminatory failure to promote Plaintiff to a Lead Operator position based upon her race and gender (Count III), sexual harassment (Count V), hostile work environment and gender discrimination (Count VI), and retaliation (Counts VII).<sup>2</sup>

Plaintiff's Complaint alleges she has suffered and will continue to suffer a variety of damages as a result, including economic, emotional distress, and physical sickness damages. Complaint at ¶¶117 & 134. Plaintiff's Complaint demands a variety of permanent injunctive relief,

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<sup>1</sup> Additionally, and alternatively, federal jurisdiction over this case may soon exist on the independent basis of federal question jurisdiction pursuant to 28 U.S.C. §1331. Plaintiff has filed a Charge with the EEOC to preserve parallel claims under Title VII of the Civil Rights Act of 1964. Per paragraph 5 of her Common Pleas Court Complaint, Plaintiff intends to amend her pleadings to include claims for race and gender discrimination, sexual harassment, and retaliation pursuant to Title VII as well. Defendant therefore reserves all rights to assert federal jurisdiction on the alternate basis of federal question jurisdiction if and when Plaintiff adds such claims.

<sup>2</sup> Defendant denies these allegations and any discriminatory or unlawful conduct whatsoever.

as well as compensatory and monetary damages to compensate Plaintiff for alleged “physical injury, physical sickness, lost wages, emotional distress, and other consequential damages, **in an amount in excess of \$25,000 per claim** to be proven at trial.” Complaint Wherefore ¶¶ a. & b. (emphasis added). Accordingly, per the terms of her own Complaint, at a minimum Plaintiff seeks compensatory damages of at least \$175,000 (\$25,000 x seven claims). In addition to the foregoing, Plaintiff’s Complaint also demands punitive damages “in an amount in excess of \$25,000,” as well as attorneys’ fees, taxable and non-taxable costs, and “other” unspecified relief. Complaint Wherefore ¶¶ c., d., & e.

Defendant denies any discrimination, harassment, or unlawful conduct whatsoever, and further denies any liability for any damages to Plaintiff. Nevertheless, based upon the allegations of Plaintiff’s Complaint, it is clear that she intends to seek compensatory and punitive damages in excess of \$200,000 in connection with the instant claims.

### **III. CONCLUSION**

Plaintiff’s claims arise between citizens of different states. Federal jurisdiction is therefore conferred, and removal of all of Plaintiff’s claims is appropriate.

Respectfully Submitted,

/s/ Chad E. Willits  
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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was filed this 18th day of May, 2021, using the Court's CM/ECF electronic filing system which will send notice to all counsel of record, and a copy will be served via email, upon the following:

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*Counsel for Plaintiff*

/s/ Chad E. Willits

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